

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
JUN 12 2003

OFFICE OF
MANAGING DIRECTOR

John Crigler, Esq.
Garvey Shubert Barer
5th Floor
Flour Mill Building
1000 Potomac Street, N.W.
Washington, D.C. 20007-3501

Re: Jackson Radio, LLC
Station WEVJ(FM), Jackson, NH
Fiscal Year 2002 Regulatory Fee
Fee Control No. 0209278835049016

Dear Mr. Crigler:

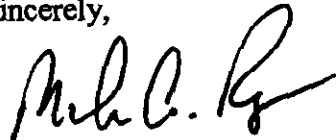
This letter responds to your request dated September 30, 2002 submitted on behalf of New Hampshire Public Radio, Inc. (NHPR), sole managing member of Jackson Radio, LLC, for a refund of the fiscal year (FY) 2002 regulatory fee in connection with Station WEVJ(FM), Jackson, New Hampshire. Our records reflect that you have paid the \$1,500.00 FY 2002 regulatory fee for Station WEVJ(FM).

In your request, you state that in 1996, NHPR filed a construction permit application for a new noncommercial station in Jackson, New Hampshire, on a channel that was not exclusively reserved for noncommercial usage. You state that three commercial applicants filed applications that were mutually exclusive with NHPR's application. You state that in order to resolve the mutual exclusivity, the applicants agreed to merge into a single entity named Jackson Radio, LLC. You state that NHPR was the sole managing member of Jackson Radio, LLC and that NHPR had rights to acquire the construction permit for the station once it was put on the air. You state that NHPR constructed the station and that NHPR exercised its rights to acquire the construction permit. You state that Station WEVJ originates no programming but, instead, rebroadcasts the programming of Station WEVO, a noncommercial station licensed to NHPR in Concord, New Hampshire. You further state that Station WEVJ was always intended to be a noncommercial station, has never broadcast commercial programming, and will become a part of NHPR's state-wide network of noncommercial stations.

Our records reflect that throughout the entire 2002 fiscal year (i.e., October 1, 2001 through September 25, 2002), Jackson Radio Company, LLC held a construction permit for commercial operations on Station WEVJ(FM). Our records do not reflect that Station WEVJ(FM) requested or received authority limited to noncommercial educational operations during the 2002 fiscal year.¹ If you believe, however, that you are entitled to a waiver of the FY 2002 regulatory fees as a noncommercial educational FM station under section 1.1162(e) of the Commission's rules, we request that you document Station WEVJ(FM)'s eligibility for such exempt status by providing the Commission with a copy of the authorization limiting WEVJ(FM) to noncommercial educational operations, a certification of its noncommercial educational status, or other information documenting such operation. In the absence of such documentation, we find that Station WEVJ(FM) is not eligible for a waiver of the FY 2002 regulatory fees as a noncommercial educational broadcast station under section 1.1162(e) of the rules. We therefore deny your request for a refund of the FY 2002 regulatory fee for Station WEVJ(FM).

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger
Chief Financial Officer

¹ We note that our records indicate that on December 20, 2002 (i.e., after the 2002 fiscal year), the Commission granted an application to assign the construction permit for commercial station WEVJ(FM) from Jackson Radio Company, LLC to NHPR and that the assignment was consummated on February 19, 2003.

020927 8835044016

WASHINGTON, DC OFFICE

fifth floor

flour mill building

1000 potomac street nw

washington, dc 20007-3501

TEL 202 965 7880 FAX 202 965 1720

OTHER OFFICES

new york, new york

portland, oregon

seattle, washington

GSBLAW.COM

September 30, 2002

File No. 20838-00100

Office of Managing Director
Federal Communications Commission
445 12th Street, SW, Room 1-A625
Washington, DC 20554

Attention: Regulatory Fee Waiver/Reduction Request

On behalf of New Hampshire Public Radio, Inc. ("NHPR"), I hereby request reimbursement of the attached regulatory fee payment timely filed with respect to radio station WEVJ, Jackson, New Hampshire.

In 1996, NHPR filed a construction permit application for new noncommercial station in Jackson, New Hampshire (BPH-19961118MB). The noncommercial station would operate on Channel 258 (99.5 MHz), a channel not exclusively reserved for noncommercial usage. Three commercial applicants filed applications mutually exclusive with NHPR's. In order to resolve the mutual exclusivity, all applicants agreed to merge into a single entity named Jackson Radio, LLC. NHPR was the sole managing member of Jackson Radio, LLC and had rights to acquire the construction permit once the station had been put on the air. NHPR constructed the station, and exercised its rights to acquire the permit.

WEVJ originates no programming. It rebroadcasts the programming of noncommercial station WEVO, licensed to NHPR at Concord, New Hampshire. Thus, WEVJ was always intended as a noncommercial station, has never broadcast commercial programming, and will become a part of NHPR's state-wide network of noncommercial stations. Accordingly, NHPR requests complete reimbursement of the fee payment which was tendered.

Respectfully submitted,

John Crigler

JC:gr
Enclosure

WASHINGTON, DC OFFICE

fifth floor

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1000 potomac street NW

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A PARTNERSHIP OF PROFESSIONAL CORPORATION

September 25, 2002

Client File No. 21241-00100

By Federal Express

Federal Communications Commission

Regulatory Fees

P.O. Box 358835

Pittsburgh, PA 15251-5835

STAMP & RETURN

Re: 2002 Annual Regulatory Fees -- \$1,500.00

New Hampshire Public Radio

WEVI(FM)

FCC/MELLON

SEP 25 2002

Dear Sir/Madam:

Transmitted herewith on behalf of the above-referenced licensee are (1) payment of its 2002 annual regulatory fee for the above-referenced facility and (2) Remittance Advice (Form 159).

Kindly communicate any questions directly to this office.

Respectfully submitted,


John Crigler

JWK:gr
Enclosure

please reply to JOHN CRIGLER icrigler@esblaw.com TEL (202) 298-2521

888-F-04/06 1-162

FROM-

Apr-15-03 14:27

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

Approved by OMB
5060-0540

1) LOCKBOX #

158195

SPRINT
FCC FORM 100

SECTION A - PAYER INFORMATION

(2) PAYER NAME (If paying by credit card, enter name exactly as it appears on your card)

Jackson Radio, LLC

(3) TOTAL AMOUNT PAID (U.S. Dollars and cents)
\$1,500.00

(4) STREET ADDRESS LINE NO. 1

c/o Garvey Schubert Barer

(5) STREET ADDRESS LINE NO. 2

1000 Potomac Street, NW, Fifth Floor

(6) CITY
Washington

(7) STATE
DC

(8) ZIP CODE
20007

(9) DAYTIME TELEPHONE NUMBER (include area code)

(202) 965-7880

(10) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FIRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FIRN)

1003-6613-60

(12) PAYER (TIN)

02-0338667

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 100-C)

APPLICANT NAME

(14) STREET ADDRESS LINE NO. 1

(15) STREET ADDRESS LINE NO. 2

(16) CITY

(17) STATE

(19) DAYTIME TELEPHONE NUMBER (include area code)

(20) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FIRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FIRN)

(22) APPLICANT (TIN)

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID

WEVJ (FM)

(24A) PAYMENT TYPE CODE

0216

(25A) QUANTITY

1

(26A) FEE DUE FOR (PTC)

(27A) TOTAL FEE

1,500.00

FCC USE ONLY

(28A) FCC CODE 1

1239

(29A) FCC CODE 2

NH, Jackson

(23B) CALL SIGN/OTHER ID

(24B) PAYMENT TYPE CODE

(25B) QUANTITY

(26B) FEE DUE FOR (PTC)

(27B) TOTAL FEE

FCC USE ONLY

(28B) FCC CODE 1

(29B) FCC CODE 2

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT

I, Cathy Ives

On the basis of my knowledge, information and belief,

SIGNATURE

I certify under penalty of perjury that the foregoing information is true and correct.

DATE 9/25/02

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31)

MASTERCARD/VISA ACCOUNT NUMBER

EXPIRATION

☐ MASTERCARD

☐ VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/product(s) herein described.

SIGNATURE

DATE

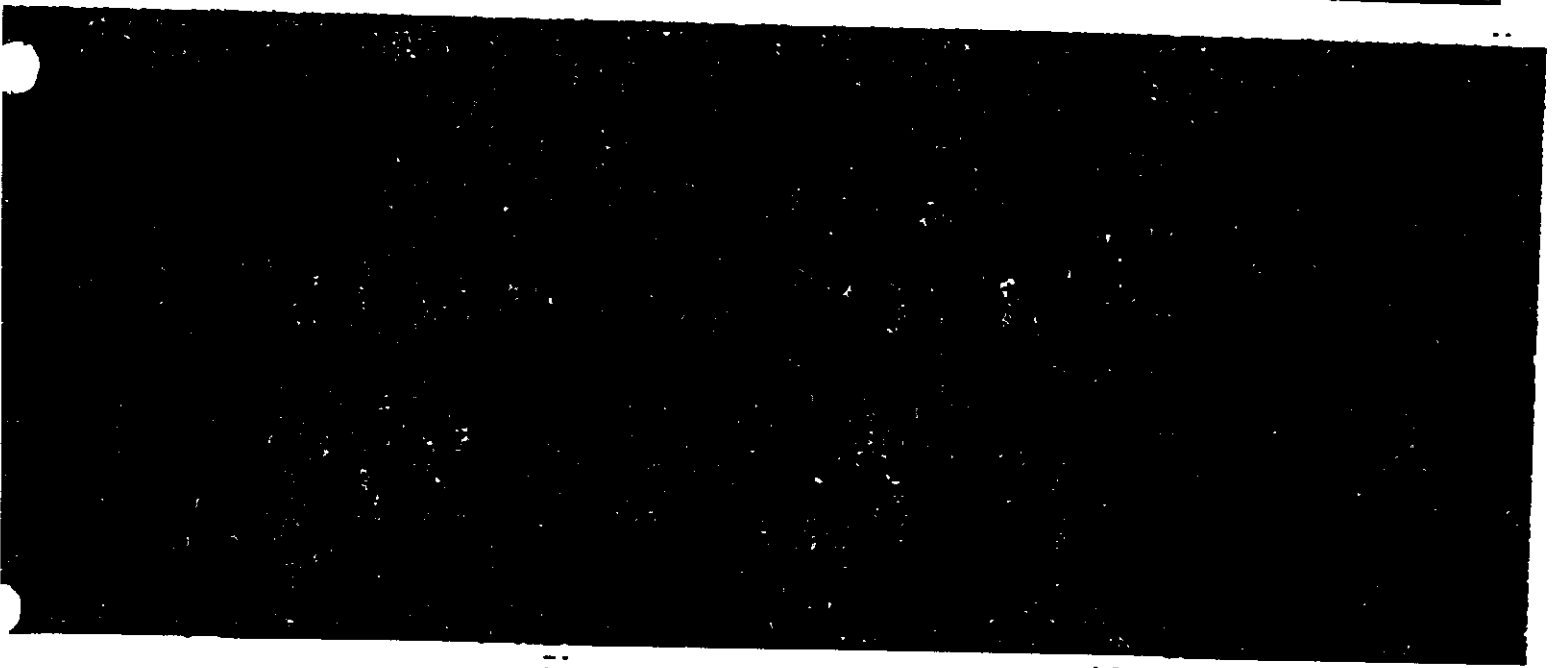
SEE PUBLIC BURDEN ON REVERSE

FCC FORM 100

FEBRUARY 2000 (REVISED)

23510

ACCOUNT NO.		*FCC FEDERAL COMMUNICATIONS			CHECK NO: 023510
VOUCHER	INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN
27944	REGULATORY FEE	9/24/02	1,500.00	1,500.00	.00
				CHECK TOTAL	1,500.00



Payment Transactions Detail Report

Date: 04/15/2003

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date								Detail Amount	Trans Code	Payment Type
0209278835049016	JACKSON RADIO LLC 1000 POTOMAC STREET NW FIFTH FLOOR WASHINGTON DC 20007	WP00054228	0020338667	19/25/2002 00:00:00										
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check						
\$1,500.00	\$1,500.00	1	0216	1	WEVJFM	JACKSON RADIO LLC	20007		\$1,500.00	1	PMT			
Total	1											\$1,500.00		